

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF BOSTON

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U.S. DISTRICT COURT
DISTRICT OF MASS.

Steven L. Smith, All Similarly
Plaintiff EFFECTED

VS

Major Peter Monteiro, LT. LANGSTON,
Sheriff Cummings, LT. Johnson
Special OPS Mr. Tordorkian

Docket #

C.O. Leddin, C.O. Grady, C.O. Kehoe,
C.O. Edwards, C.O. Price, C.O. Varesco,
C.O. Paine, C.O. Joseph, ~~and Delaney~~,
C.O. Davis, and Chesboro.

August 4, 2021

(In both official & Ind. Capacity)

CIVIL COMPLAINT

Per U.S.C. § 42 1983

- 1) The plaintiff resides as a pre-trial detainee
At Barnstable County Jail, 6000 Sher. Rd PL,
Bourne, MA 02532
- 2) The defendants are employed at Barnstable
County Jail at same address.
- 3) The plaintiff has a pending lawsuit,
Smith vs Lewis CV 3:20-30173 KAR (Unrelated.)
- 4) The plaintiff has filed numerous grievances
but most were made moot by transfers
to other facility, many more were not
answered at all, or returned unaddressed.

II

BASICALLY, the grievance system at this Facility doesn't work - Many of my grievances were filed on staff members, and as I stated, I either got transferred, had the grievance returned to me unaddressed, or it just wasn't answered, or NOT validated. Never do they find A C.O. guilty!!

Complaint

- (1) My Life has been A living Nightmare ever since my arrival to this facility on 7-5-2018. I am charged with child Rape. I Am NOT guilty and my criminal case should soon be dismissed. But I have paid dearly for the false Accusations of my Alleged Victim - here At BARNSTABLE.
- (2) It began At my booking, when C.O. Grady, loudly told another C.O. "We have another Sexual offender." I objected and told him I'm NOT guilty. He said, "Sure, And I Am Santa Claus!"
- (3) I was processed in a degrading manner, taken to strip, off camera, by the gloves I got, I was scared. I was humiliated as the C.O. kept telling me to bend over more and spread my ass cheeks wider. He threatened if I didn't. I believe it

III

was C.O. Kehoe but it's been 3 years.

- (4) I went to seg for classification. One day later I got sent to A population unit. Soon as I entered C.O. Chesboro asked if my name is Smith. I said yes. I went to my cell and told my cellmate I'm here for theft. But I knew the C.O. was up to something, so I kept at the door. I seen C.O. Chesboro talk to the worker, a huge white guy with tattoos. As they spoke, they looked up towards me. Soon the worker was at my door "You got to go to P.C. - Ya're a skinner!" At this point, numerous inmates were at their doors yelling, "Rapist!" "Faggot!" "Ya're dead!" "I will fuck you like you did that little girl." "Skinner! Maggot!" NA-NA-NA - Goodbye! I ended up in G-unit. Ad Seg.

- (5) Where C.O. ~~Dan~~ Edwards and Joseph and numerous other C.O.'s told inmates my charges. They barged, screamed, and overall terrorized me - with similar threats, sexual comments, basically whatever worst idea in their mind that I did - They would say so, out loud, without any fear of sanction. C.O.'s like Edwards, Price, Leddin, Paine, Vassca, etc., would just sit watching T.V. Smirking.

IV

I should explain, 6-Unit is A small one, of only 10-cells, 5 upstairs and 5 downstairs. A C.O. is stationed at A desk. He can easily hear and monitor everything, and can use the intercom system to listen to any cell. Above him is A T.V. — And They control and watch it.

(6) I filed grievances on C.O.s watching T.V. instead of doing their jobs in/Around Sept/Oct 2008. Major Monteiro answered, & "You're filing grievances on my C.O.s watching TV? — You are out of here!!" And I was transferred to PLYMOUTH.

(7) Indeed, they would watch T.V. instead of telling the inmates that were yelling out their doors and into my vent, that I was A scumbag Skinner, that if they got ahold of me they would fuck me like I did to that little girl. Until C.O. Edwards And C.O. Joseph, And C.O. DeOliveira, and others told them — "No, he's accused of sucking A little boy's dick" or something similar.

(8) One time, just prior to my Rec period, C.O. Joseph put on Special Victims Sex show — soon as I exited my cell, he clicked the channel and loudly said "ODPS, can't watch this with Smith the child molester out!"

IV

P.C.

- (9) As to Rec, AD Seg would get 2½ hours per day—it suppose to be a Rotation, as the phones don't go on until 8 AM, but I would Almost Always be woken up at 6 AM for Rec, as inmates would yell, "Don't get me up, Get the Skinner up! It's Skinner's Rec time!!" So, sure enough, I would be given Rec at 6 AM—for days straight. I filed grievances And Request slips and was always told, "It's the officers discretion." And so All the C.O.s Named would select me to Rec first, which I assert is Retaliation—And that is what it is—Retaliation for the Nature of my charges. By LT. Longston!!
- (10) And as stated, None of these officers would enforce the P.R.E.A protocols or over the mission statement of Sheriff Cummings—that All detainees are to be treated respectfully and most of All, NOT sexually harassed, Rediculed, And disparaged.
- (11) The assumption that such abuses could not be stopped is incorrect. These abuses go on, and went on, because these C.O.s are complicit in the Abuse. They find it Amusing, Some think its their duty to make me suffer for a horrible crime as

VI

in their mind, I am here, and must be guilty.

(12) More than once, I became suicidal. I was desperate to get moved out G-Unit. But I was only placed in the 1st cell and stripped naked—And was freezing in a gown way too small to cover my body fully. And the bare mattress was disgusting and peels of fire retardant paint stuck to my body, all over, like glitter, and got into my eyes, mouth, and nose.

(13) I filed a grievance on these 7-10 year old mattresses—but as always—it went into a wastebin.

(14) It's difficult to describe the miserable way I felt being vilified, ostracized, and degraded—I can't think of anything worse than to be innocent yet called a child rapist, skinner, etc., every day.. And some days, it would go on for hours.. The inmates would only stop harassing me when their throats grew sore.

(15) I am NOT the only inmate here at Barnstable, with sex charges, that has experienced this mistreatment. I will summons Mark Rosenfield, ~~Mark Rosenfield~~ and any inmate similar!!

VII

It's the same gallery of corrupt officers! Gaddy, Edwards, Price, Paine, De Oliveira, Coleman, etc - basically all the C.O.s that are under 30 years of Age!!

(16) I have filed Numerous grievances but it doesn't change anything. This was going on in 2018 and still goes on...

(17) I got beat-up at Plymouth and sent back here.

(18) I filed A P.R.F.A on C.O. Laddin. He yelled out on tour, "SMITH Get YOUR Fingers out of YOUR Ass!" I was scratching - I have An infection on my buttocks!! His Remark, caused Numerous inmates in P.C. Unit to scream, yell, and mime anal penetration while shouting "Finger Blaster!" and "Froggot!" and The usual "Skinner" and "Child molester!" Far up until I got transferred, I could not leave or return to my cell without the sentenced inmates screaming and carrying on as described!!

(19) During This time, Michael Potelo was my cellmate - A vile, admitted, pedophile. He would constantly tell me about his ex-cellmate, Cramer, wanting sex with him.

VIII

It was SICK. Cramer is like 20 and Petelo is 50. He wanted me to say I heard Cramer ask to blow him! And offered to pay. He was extorting Cramer with the threat to file a P.R.E.A on him! I agreed only to get 30.00 and him gone out my cell. I felt it was punishment to even be put into a cell with him!! Nobody wanted him as a cellmate and given his sickness should been alone. When called to testify for him, I told the truth. He paid me to lie — and I'm not doing that!! Instead, I told them how he stalked young men at the P.C. Plymouth dorm!!

To get even, he provided Mr. Jordakian of Special Ops, investigating Leddin's comment, with a false statement that I lied on C.O. Leddin only to get a transfer.

(20) Then, another inmate also provided a false statement that I lied to get transferred. Todd Germani! He wanted 250.00 to hook me up with his Attorney, Mr. Grimmer out of Hyannis, get my 5,000+ out of Pay Est. He would sit and tell me that I would not get a transfer — Little did I know — but he wrote a statement that I made up Leddin's comment...

I was found guilty. Mr Spino
came & gave me 10 seg days!

IX

- (21) Both these inmates are notorious for their mendacity and viciousness... They are probably the most unreliable of any two. A bailiff in Barnstable told me "Todd Germani is the biggest liar and lying rat in Cape Cod." As it stood, he was trying to scam all my money!! And almost succeeded!
- (21) I also got assaulted around the time of C.O. Leddin's comment and all the abuse by an inmate around 25—I was 58!! He threw his tray at me yet the C.O. wrote we both did so...
- (22) I had a request to transfer—to my other jail except Bristol County.
- (23) I was sent to Bristol County!! This 'fresh' start—found me placed in segregation pending disciplining... For me throwing my tray!! Which I did not do! *
- (24) My legal work was taken at entry and given back with more than half of it gone! STUFF I've still not been able to replace!!
- (25) I was put into a filthy cell, with an overclogged toilet full of feces & urine, and toilet paper. My cellmate looked like a mini Osama Bin Laden—Beady eyed

X

And stinking... Soon I noticed bugs on me, in my hair, clothing...

And inmates knew my name and charges, so it was the same abuse going on - I had not spoken to a soul. Yet, they are yelling, Steven Smith is a skinner! He sucks Dick! When I asked the C.O. for a plunger and toilet paper he said, "Use your hand." Inmates began to chant:

"No Toilet Paper for Skinnies!!"

(26) Finally, I noticed these bugs came out my cellmates decayed dreadlocks as if ants out a hill!! I put some into a cup and showed the nurse. She shrieked and said "LICE!" 3 days later I got taken out, treated, and given clothing.

(27) I soon became suicidal. After 7 days I got transferred to Worcester Jail and assigned to the Annex - A dorm for P.C. inmates.

(28) Again, I lost more property - Legal. As for personal stuff, it was thrown away by Barnstable transport officers... I can't agree how much money I spent on radios, sweat, cosmetics...

XI

(29) I was OK in Worcester - until After I went to court in Barnstable Superior, Worcester took me there but Barnstable C.O.s returned me. I seen these C.O.s talking to Mr. Byrnes before they departed. Soan, Mr. Byrnes was harassing me... The details of which are in my Civil Action Smith vs Lewis CV 3:20-30173. He was found guilty of a P.R.E.A and 10 other code of conduct violations by Internal Affairs officer Christopher Lennon...

(30) Mr. Byrnes sent inmates with bananas he provided, to shave in my face - just to say one of the abuses!

I filed a Grievance on C.O. Byrnes and as bad as the abuse was from him, I specifically requested not to be sent back to Barnstable!! In fact, I put up with Mr. Byrnes for over 2 months as like he threatened - if I filed a grievance I would be sent back to Barnstable!!

(31) Sure enough, even though Mr. Lennon sent me back to the dorm and said I would not be transferred, I was not there 45 minutes before told to pack up for transfer.

XII

- (32) At Barnstable, LT. Johnson went through my property. She threw out my personal photos - which I paid someone 70.00 to print and mail off FB - she tossed my books and all my personal property...
- (33) Mr. Tardakian of Special Ops, didn't want me transferred - over Leddis - he told me before I got sent to Bristol - "IF Yw ever fits a False P.R.E.A on one of my officers, again - yw will be criminally charged!" It was NOT FALSE!!
- (34) Upon return, he summoned me, and had a smile - no doubt he was aware that all of my many complaints against C.O. Byrne at Worcester were confirmed - including a P.R.E.A.
- (35) I soon came to learn, Mr. Tardakian, had found NO substantiation to my P.R.E.A on C.O. Leddis - based on those two, totally unreliable inmates - and both with motives to lie against me!!
- (36) I was soon moved to Berkshire County Jail... Mr. Higgins assured me - "No C.O's will tell inmates yur charges. You can go to general population. Just don't tell anybody yur charges."

XIII

Needless to say, I was not only skeptical but scared. Basically, if an officer tells inmates you're in jail for child rape - he is placing your life in danger. At minimum, you are going to get verbally abused with all sorts of it - from sexual to other degradations!!

(37) Mr. Hoggins had not Lied. I was in general population for 11 months. I was able to live like a normal inmate. I had friends. I made a monopoly game, of my own version, and many sought to play - I had Respect... I had safety.

(38) My entire time there, I would talk to Mr. Edward Cope of Mental Health, I would talk of how I was terminated at Barnstable and never wanted to see that horrible place again! I let him know I was grateful to be at Berkshire.

(39) At Berkshire County Jail, signs are posted throughout the facility, that there is ZERO Tolerance for sexual harassment - as any other kind... And they are serious... Inmates go to seg and it's seg - for weeks if they do!!

XIV

- (40) Mr. Iardakan conducted a sham P.R.E.A investigation, taking unreliable statements. Mr. Leddin has since my return, written me up false write ups... And still harassed me.
- (41) I went to BSIT for a 20 day eval last Dec-Jan 2021 - I got taken back here and told per Mr. Iardakan - I Am staying. I went on suicide watch for 7 days. They said its A Rule to get a transfer. No. It's no rule. I literally hate this facility. And the abuse. It's awful.
- (42) Recently, I was given a cellmate, in P.C. H-Unit, that's been sent here as he caught a P.R.E.A at Bristol - with his cellmate!! He was standing up fully naked to wipe and telling me he's going to shake his balls. I didn't want any cellmate, too many ftc FALSE P.R.E.As, I'm here for a Falsehood - and with my case so soon to be dismissed - I'm not comfortable with any cellmate. I feel they put him into my cell as a setup!! I kept this info from other inmates by making issue over the top bunk - But I wrote to LT. Cahoon the truth, Now I'm put on AD Seg - locked in all day except 2 hours! But first...

XVI

(43) I got placed in G-Unit - where the inmates did what they normally do! Yell and SCREAM At C.O. Price and DNRs SAT - smirking. I wrote them up. And I also wrote and told Special OPS I want to Appeal its finding that C.O. Leddin didn't do as I claimed.

(44) While C.O. DNRs sat at the desk, 6 FT From #2 Cell, That inmate yelled, non-stop, that he was going to kill me, rape, make me suck him off. Then he got on the phone, had his girl look me up, And yelled out my charges and into All based on the DA's Allegations. There's no possibility C.O. DNRs didn't hear him. And he said nothing.

(45) When C.O. Price gave me "Skinner rec" I told him, "Can you order the inmate to stop making sexual comments & threats to me." He ignored me. Then as I asked again, he told me to shut up. I said, "Well, you should do your job and tell these guys that!"

He made me lock-up - 35-45 min earlier than my rec time. I Alleg Concurrence but its pointless! These C.O.s Free no Accountability.

(46) I've Already written a book, I Am sorry, but if I detailed all of the Abuses, and each particular instance, At this facility — it would be 150-250 pages!!

(47) The trauma of this jail will stay with me the rest of my life. Things "are better" than in 2018 — But Not Really!!

REDRESS

- (1) I seek a transfer back to Berkshire County Jail or to DUKES COUNTY — if my case is not dismissed 8-12-21
- (2) I seek the Sheriff to post signs similar or same as At Berkshire Jail and to enforce P.R.E.A PROTOCOLS.
- (3) I Ask That The Grievance system be Revamped and made legitimate.
- (4) I ask the Sheriff make C.O.s enter A training program about what it means to be a PRE-TRIAL Detainee and to hold them accountable...
- (5) Mr. Fordorkian of Special OPS needs to be replaced or removed from any kind of investigations!!
- (6) I seek 50,000 punitive and Compensatory Damages in U.S. DOLLARS... to myself And Mark Rosenberg and Any other

inmate that came forward to this action.

- (7) I would like The Justice Dept Notked of Barnstable Jail's Failure to enforce P.R.E.A protocols and threaten to stop funding the program—unless they start taking it seriously.
- (8) As A P.C. Pre-Trial detainee, I am A Protected Class. I have Rights as a human being, And even if I was guilty, its not the duty of officers to make my life A living hell, make me feel suicidal. Many times I've wished I had the Raw courage to end my life rather than face another day, here, at Barnstable.
- (9) I didn't committ The crime. And DNA & Hospital Reports empirically prove it. But it never mattered to anyone here. I was upon entry, "A Sex offender"
- (10) Finally, I ask The Sheriff to remove All criminal info from the computers The C.Os utilize—There's no perological Need for them to know an inmates charges!! And, somebody with my charges, being so heinous, I should be automatically placed in A canty where nobody knows.

(11) Yet, if I were in Berkshire, And my charges were known, I still would not receive the sort of abuse I have here because the officers there would not sit watching T.V. while one inmate verbally & sexually harassed another one!!

(12) C.O.s are paid 35.00-50.00 per hour. Surely, if they value their jobs, they can enforce the rules and do their duty - And protect the detainees from such abuses! please, Your Honor, Grant my Request!!

Respectfully,

Steven L. Smith

8-4-21

Steven L. Smith, #716070
Barnstable Jail